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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/758,294	01/15/2004	Clifford Jackson	367618011US1	5168
25096	7590	05/02/2006	EXAMINER	
PERKINS COIE LLP			DINH, TIEN QUANG	
PATENT-SEA			ART UNIT	
P.O. BOX 1247			PAPER NUMBER	
SEATTLE, WA 98111-1247			3644	

DATE MAILED: 05/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/758,294	<b>Applicant(s)</b> JACKSON, CLIFFORD	
	<b>Examiner</b> Tien Dinh	<b>Art Unit</b> 3644	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 14, 15, 17, 18 and 20-31 is/are pending in the application.
- 4a) Of the above claim(s) 17, 18, 20-24 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 14, 15 and 25-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>6/6/05</u> . | 6) <input type="checkbox"/> Other: ____  |

## **DETAILED ACTION**

### ***Election/Restrictions***

Election was made **without** traverse in the reply filed on 2/13/06. Applicant has elected group III, species A.

Re claim 17-18, please note that they are dependent on canceled 16. These two claims are not considered in this office action.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 25-31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 25, “first and second registrations” is vague and indefinite. What does registrations mean? Furthermore, “the component” lacks antecedent basis. What is “the component”?

Claim 29, line 4, “the component” lacks antecedent basis.

### ***Claim Rejections - 35 USC § 103***

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 14, 25, 26, 28-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Durandeu et al in view of Millerwise.

Durandeu et al discloses an aircraft having a fuselage, wing, actuator linkage, control surfaces, actuator housing having a receptacle that have surfaces but is silent on the projections and recesses that allow an element to “snap” onto a surface. However, Millerwise discloses that projections and recesses that allow an element to “snap” onto a surface is well known in the art. Please note that Millerwise also discloses a “receptacle” inherently has a resilient, conformal material.

It would have been obvious to one skilled in the art at the time the invention was made to have used projections and recesses and receptacles being made out of resilient, conformal material in Durandeu et al’s system as taught by Millerwise to allow easy installation of the actuator.

Please note that to make an aircraft unmanned merely involves routine steps that one skilled in the art would have done to reduce risks.

Please note that electric actuators are well known and obvious to one skilled in the art to use to allow a more efficient system.

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Re claim 28, please note that the examiner takes official notice that cover means are well known and it would have been obvious to one skilled in the art to have used a cover for better projection of the actuator.

Please note that the examiner would also take official notice that receptacle surface being resilient, flexible, and conformal are well known in this day and age so that one skilled in the art would have used to allow better connection or snap on of the actuator to the receptacle.

Claims 15 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Durandau et al as modified by Millerwise as applied to claims 14 and 25 above, and further in view of Dequin et al.

Durandau et al as modified by Millerwise discloses all claimed parts except for the electric actuator. However, Dequin et al teaches that electric actuators are well known. It would have been obvious to one skilled in the art to use electric actuators in Durandau et al as modified by Millerwise's system as taught by Dequin et al to create a more efficient system. Re claims 15 and 27, a second opening for electrical wire is inherent since wires are needed to go to the actuator and there must be a way for the wires to reach the actuator.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Dornier and Mallory et al teach elements that are claimed.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tien Dinh whose telephone number is 571-272-6899. The examiner can normally be reached on 9-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Teri Luu can be reached on 571-272-7045. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TD

A handwritten signature in black ink, appearing to read "Tien Dinh", with a stylized flourish at the end.